

**MINUTES OF THE CITY COUNCIL  
OF THE CITY OF FONTANA  
REGULAR CITY COUNCIL MEETING  
July 30, 2014**

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**CALL TO ORDER/ROLL CALL:**

**A. 5:30 P.M. - Call the workshop to order in the City Hall Development Services Building DAB Conference Room**

The Ajdourned Regular Joint Meeting of the City Council and Planning Commission was held on Wednesday, July 30, 2014, in the City Hall Development Sevices Building DAB Conference Room at 8353 Sierra Avenue, Fontana, California. Mayor Pro Tem Roberts called the meeting to order at 5:34 p.m. Mayor Warren arrived at 5:40 p.m.

**ROLL CALL:**

Present: Mayor Warren, Mayor Pro Tem Roberts and Council Members Tahan, Wibert and Sandoval.

Absent: None.

Present: Chairperson Cothran, Vice Chair Slowik and Planning Commissioners Meyer, Garica, and Armendarez (arrived at 5:36 p.m.).

Absent: None.

City Manager Ken Hunt introduced Best, Best & Krieger Attorney Anthony Maiorano, who was legal counsel for the Planning Commission.

**B. Public Communications**

There were no written communications received.

**C. Workshop**

**1. Open Space and Amenity Guidelines for Single Family Development**

Deputy City Manager Debbie Brazill and Director of Community Development James Troyer provided the staff report.

Council Member Tahan inquired about acreages.

Community Development Director James Troyer outlined the acreages.

Council Member Wibert inquired about community parks versus neighborhood parks.

Community Development Director Troyer outlined the differences between a community park and a neighborhood park.

Mayor Warren inquired about parks in the unincorporated county area that were within

the City's sphere of influence.

Community Development Director Troyer stated that there were no parks in the City's unincorporated sphere of influence.

Council Member Sandoval inquired about joint use agreements with the school districts.

Staff stated that the City had joint use agreements with all the school districts.

Mayor Pro Tem Roberts inquired about the open space that was designated in Southridge in south Fontana.

Public Works Director Chuck Hays stated that approximately 700 acres was designated as open space in Jurupa Hills.

Planning Commission Chair Phil Cothran inquired about why there was an objective to fill a gap with the open space land.

Community Development Director Troyer stated that open space was in the City's master plan and should be accounted for because open space was park land but not in a traditional sense.

Mayor Warren stated that this will assist the City in the General Plan update.

Community Development Director Troyer stated that as part of the General Plan update, Healthy Fontana policies would be an added component.

Planning Commission Chair Cothran stated that the City Council's Ad Hoc Committee's recommendations were different from the Planning Commission.

Deputy City Manager Brazill stated that their recommendations were noted in the staff's presentation.

Planning Commission Chair Cothran stated that it was not the intent of the Planning Commission to go against the City Council's wishes.

Mayor Warren stated that there had been a miscommunication and misunderstanding.

Community Development Director Troyer stated that the table captured the recommendations.

Council Member Wibert inquired whether there was flexibility in the amenities.

Community Development Director Troyer stated that flexibility was included as part of the process.

Discussion arose concerning the amenity package.

Council Member Tahan stated that the amenity table did not include any amenities for children.

Community Development Director Troyer stated that play areas could be added as part of the amenities.

Planning Commissioner Garcia stated that community gardens were not maintained and had a concern about the aesthetics and that maintenance was a problem.

Community Development Director Troyer stated that the maintenance issue could be included in the Covenants, Conditions and Restrictions (CC&Rs), which were reviewed by staff.

Council Member Wibert stated that the proposed amenities must be close to the development that was already in the City but that the City could be open to different amenities as well.

Mayor Pro Tem Roberts stated that if the CC&Rs were the enforcement then the City was out of the loop for oversight and the development could become an eyesore.

Mayor Pro Tem Roberts stated that reducing lot sizes did not seem to measure up to the proposed amenities.

City Manager Hunt referenced Council Member Wibert's inquiry regarding development in close proximity to existing development and would not be considered a duplicate. Mr. Hunt stated that the developer would still be required to add the amenities.

Community Development Director Troyer stated that for additional amenities, more lawn and play areas, etc., could be added.

Council Member Wibert inquired whether a homeowners association was extra work to create.

Planning Commissioner Armendarez stated that the new CC&Rs included this, but if the homeowners association was not taking care of the maintenance, there was a clause that the City could take over the maintenance.

Mayor Warren stated that the quality of development in the Fontana community was high and was not sure whether to include a community garden.

Planning Commissioner Garcia stated that his concern was about long-term upkeep of the community garden.

Planning Commission Chair Cothran stated that with 150 lots a community garden seemed to be included.

Discussion arose concerning community gardens, acreage and amenity "List A" and "List B."

Council Member Tahan stated that one amenity list should be created with more restrictions in the development agreement.

Council Member Wibert stated that more flexibility for the developer was needed in proposing something new.

Mayor Pro Tem Roberts stated that reduction of lot sizes from 7,200 to 6,200 square feet occurred between 1980-1990 and the City had trouble with extraordinary amenities. Mayor Pro Tem Roberts stated that if the City were to offer a developer a benefit for developing lots there should be an offset percentage of value in the amenity. Mayor Pro Tem Roberts stated that a value needed to be added but it was not necessary to specify

what the amenities would be.

Deputy City Manager Brazill stated that in the R-2 (Medium-Density Residential) zone the minimum lot sizes were 4,000 square feet.

Discussion arose concerning R-2 zoning and single-family detached housing and amenities.

Council Member Wibert inquired as to who would care for the amenities if there was no homeowners association.

City Manager Ken Hunt stated that the City does not enforce CC&Rs in a homeowners association. Mr. Hunt stated that a Community Facilities District (CFD) was created to overlay on the development and the homeowners association was responsible for the enforcement. Mr. Hunt stated that the City had the ability to enforce the CFD and assess the property owners for maintenance.

Council Member Wibert stated that there are many small parks, which take a lot of money to maintain, and did not want to be locked into what was on the amenity list but wanted to maintain some flexibility.

Discussion arose concerning Landscape Maintenance Districts (LMDs) and Community Facilities District (CFDs).

Council Member Tahan stated that the amenity list was a tool box that needed to be more flexible but the maintenance issues needed to be addressed.

Discussion arose concerning amenities in the tool box for the R-2 zoning district, such as, play areas.

Council Member Sandoval stated that flexibility for equipment for youth and senior residents was necessary.

Council Member Sandoval stated that putting greens and community gardens needed to be removed from the list.

Council Member Sandoval stated that 1 to 4 homes would still have an impact on the City's resources because children lived there and needed a place to play.

Discussion arose concerning homeowner associations and that a 1 to 4 home development was too small for a homeowners association to be created.

Council Member Sandoval inquired whether a Quimby Act fee could be collected for future parks.

Discussion arose concerning homeowners associations, Community Facilities Districts, and maintenance.

Commission Chair Cothran stated that perhaps the lot sizes needed to be increased and not worry about the amenities.

Community Development Director Troyer stated that staff will be developing a new menu of options.

Planning Commissioner Garcia stated that List "B" be eliminated and more items added to List "A", such as, ball parks.

Planning Commissioner Meyer stated that water shortage is an issue and that the Inland Empire Utilities Agency (IEUA) talked about using the collection basins but did not see this on the list.

Planning Commissioner Meyer stated that the CC&Rs should include the City as a party and did not see that the City could enforce the CC&Rs.

Deputy City Manager Brazill stated that the CC&Rs would be reviewed.

Planning Commissioner Armendarez stated that the intent was never to lock in amenities and that "List B" was no longer necessary.

Planning Commissioner Armendarez stated that almost every medium density development would have a homeowners association but it was not the Planning Commission's right to tell someone what they could do with their land.

Planning Commissioner Garcia stated that other cities' amenity packages need to be reviewed for ideas and that an economic value could be assigned to each of the amenities. Mr. Garcia stated that each amenity could be assigned to a lot size category and a certain value to that amenity could be based on the lot sizes. Mr. Garcia stated that flexibility could be maintained by a developer proposing an amenity that was indicated on the table.

Mayor Warren stated that the City served a community of so many needs and people looked for housing relative to the size and needs of the family. Mayor Warren stated that seniors were living longer and were looking at housing that met their needs. Mayor Warren stated that the City needed to be mindful of the water shortage and the drought. Mayor Warren stated that this community needed variety and that staff and developers needed to be informed about what the City Council wanted to see. Mayor Warren stated that amenities were really important to have but flexibility still needed to be maintained.

Mayor Warren called a short recess at 6:38 p.m. and called the meeting back to order at 6:45 p.m.

## **2. Westgate Specific Plan**

Director of Community Development James Troyer and Associate Planner DiTanyon Johnson provided the staff report.

Associate Planner Johnson introduced the developer staff as follows: Mr. Jess Harris from JHA Consulting, and Mr. Doug Ford and Mr. Jeff Pierson from Unitex Management Corporation.

Council Member Tahan inquired whether a middle school was proposed.

Associate Planner Johnson stated that a middle school was not being proposed.

Council Member Tahan inquired whether the utility corridor was part of the open space.

Associate Planner Johnson stated that amenities were proposed in the Southern California Edison corridor such as a park and basketball courts.

Planning Commissioner Meyer inquired whether Summit Avenue would be redesigned so that it would no longer connect to Cherry Avenue.

Developer staff stated that it will be replaced.

Discussion arose concerning Summit Avenue and Sierra Lakes Parkway.

City Manager Ken Hunt inquired about whether the development would connect to the Pacific Electric Trail.

Developer staff stated that there was a wonderful connection between the two park areas and was one of the extraordinary amenities. The flexibility of the park was fantastic, because a dog park and dog run with pocket parks could be proposed that were spread out, and with more amenities in the larger parks.

Council Member Tahan stated that he liked the plan and inquired about the proposed pedestrian bridge on Baseline Avenue and whether it should be relocated to Cherry Avenue.

Developer staff stated that the bridge was proposed on Baseline Avenue because of the bikeways and to allow ease of movement with Fontana Park, and that another trail system was created to allow kids to move safely back and forth, whether walking or biking.

Council Member Wibert stated that she was very pleased with the project and that there was a lot of acreage for parks.

Council Member Wibert inquired about amenities for the proposed condominiums.

Developer staff stated that in the high density area, a gym and a lot of recreational facilities inside the buildings, were proposed.

Council Member Wibert inquired about the size of the pocket parks.

Developer staff stated that the smallest parks have a swimming pool and tot lot.

Council Member Wibert noted one baseball field and inquired about additional baseball fields.

Developer staff stated that many sports were planned and that the whole community would be connected to trails.

Mayor Pro Tem Roberts inquired about whether the landscaping was commensurate with the landscaping in the Village of Heritage.

Developer staff stated that the landscaping was conservation oriented with street scapes and beautiful set backs, with a lot of landscaping standards in the residential areas.

Mayor Pro Tem Roberts inquired about Palm trees.

Developer staff stated that Palm trees have been planned as a gateway south of the 210-Freeway.

Mayor Pro Tem Roberts inquired about a development agreement.

Developer staff stated that for this particular project a development agreement would be very difficult to develop, because the amenity package would be phased similar to the Arboretum Specific Plan Area.

Discussion ensued regarding storm drainage.

Mayor Pro Tem Roberts inquired about the proposed improvements for Cherry Avenue.

Developer staff stated that proposed corrections to Cherry Avenue included signalization and realignment of Walnut Avenue, which would take care of the intersection.

Deputy City Manager Brazill stated that staff was recommending signals in two locations on Cherry Avenue.

Mayor Pro Tem Roberts inquired about a distribution center and the land use.

Developer staff stated that the proposed specific plan allowed warehousing and that a commerce center was being considered.

Discussion ensued regarding a commerce center and the best location.

Developer staff stated that multiple warehouses were originally planned, but City staff stated that this area was for a more intense urban area.

Mayor Pro Tem Roberts stated that this area was the most valuable vacant land that was left in the City and wanted the best and highest use, and was not convinced that warehouse distribution was still the highest and best use of the land.

Mayor Pro Tem Roberts stated that due to the amount of lots that were proposed more ball parks were needed.

Council Member Tahan stated that he was looking forward to seeing commercial along the 210 and 15 Freeways, liked the variety of the product, and wanted more commercial and mixed use, bridges for connectivity and office buildings.

Discussion ensued regarding a 50-year supply of office space and that the proposed development had set aside 1/3 for office use, and had plenty of retail and that the area was considered a "Golden Triangle."

Council Member Tahan inquired about hotels.

Developer staff stated that the zoning was in place that permitted hotels.

Council Member Tahan inquired about the specific plan to account for what the City Council was looking for.

Deputy City Manager Brazill stated that all the uses were permitted and that staff was confident that this development covered all the proposed uses.

Mayor Pro Tem Roberts inquired about points of sale.

City Manager Hunt stated that there was no way for an applicant to know about the point

of sale and therefore could not agree to it.

Discussion ensued regarding point of sale and finding users for the buildings.

Council Member Tahan stated that it appeared that Hunter's Ridge was being cut off from everyone.

City Manager Hunt inquired whether Summit Avenue would be changed.

Discussion ensued regarding Summit Avenue.

Council Member Sandoval stated that this was a walking community from one community to another, and with mixed use it was difficult to predict what came with it to make it presentable.

Planning Commissioner Armendarez stated that the product looked good.

Planning Commissioner Garcia inquired about the density and that the development proposed more walkability and bike trails but wanted to see how the plan was connected.

Planning Commissioner Meyer stated that mixed use and whether housing would be included had not been discussed.

Planning Commissioner Meyer stated that areas PA 22 and PA 25 proposed low density and was not sure whether this was a good location for low density.

Planning Chair Cothran stated that he liked the overall plan but was not sure about the mixed use and office space, high density was going to be for senior housing, and was not sure about the warehousing but would not have his support.

Mayor Warren stated that she liked the project, was concerned about the reason not to have a development agreement, and the congested traffic circulation on Cherry and Victoria would be improved.

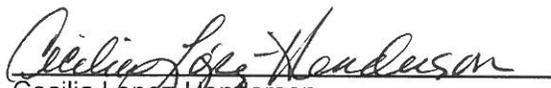
Mayor Warren stated that a compliment of jobs and restaurants were needed in this area.

Mayor Warren stated that if a "big box" was in the middle of a project, then a great job on the landscaping would need to occur.

## **ADJOURNMENT:**

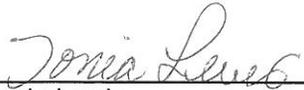
The Joint City Council and Planning Commission meeting adjourned at 7:59 p.m. to the next Regular City Council Meeting on Tuesday, August 12, 2014, with a workshop at 5:30 p.m. in the City Hall Executive Conference Room and the Regular Meeting at 7:00 p.m. in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California.

The next Regular Planning Commission meeting would be held on Tuesday, August 5, 2014 at 6:00 p.m. in the Grover W. Taylor Council Chambers at 8353 Sierra Avenue, Fontana, California.

  
Cecilia Lopez-Henderson

Deputy City Clerk

**THE FOREGOING MINUTES WERE APPROVED BY THE CITY COUNCIL AND PLANNING COMMISSION.**

  
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Tonia Lewis  
City Clerk

  
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Phil Cothran  
Chairperson